

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1512

IN THE MATTER OF:

Served March 11, 1976

Application of MONTGOMERY VILLAGE)
TRANSIT COMPANY for Certificate of)
Public Convenience and Necessity)

Application No. 921

Docket No. 314

By Application No. 921, filed March 1, 1976, Montgomery Village Transit Company (M.V. Transit) 1/ seeks a certificate of public convenience and necessity pursuant to Title II, Article XII, Section 4(b) of the Compact. M.V. Transit proposes to render regular route service, charter operations and special operations within designated portions of the Metropolitan District for the transportation of passengers, together with their baggage, express packages, and newspapers, as follows:

REGULAR ROUTE

From points within Montgomery County, Maryland, restricted to the boarding and alighting of passengers along Maryland Route 124, Quince Orchard Road and Montgomery Village Avenue, and within the Community of Montgomery Village, with the exceptions of boarding and alighting of passengers and their baggage at National Institutes of Health, Bethesda, Maryland, and at East-West Highway, Chevy Chase, Maryland, to points within Washington, D. C., and return.

IRREGULAR ROUTE

A. Charter operations:

From points within the District of Columbia to points within the District of Columbia.

B. Special operations and charter operations for sightseeing and tour purposes:

1. From points within the District of Columbia to points within the District of Columbia.
2. From points within the District of Columbia to Alexandria, Arlington, Mount Vernon, and Fairfax, Virginia, and return.
3. From points within Alexandria, Arlington, Mount Vernon, and Fairfax, Virginia, to the District of Columbia and return.

1/ M.V. Transit is a company formed by Donald Eugene Lurty.

M.V. Transit would render the proposed services in motor coach equipment. With respect to its Montgomery Village operation, M.V. Transit would provide the service at the same times as currently set forth in the Blue Lines, Inc., time schedule on file with the Commission. As part of its application, M.V. Transit has proposed the following fare structure for the proposed Montgomery Village operation: weekly pass \$12, one-way fare Montgomery Village to District of Columbia or return \$1.75, one-way fare Montgomery Village to Bethesda or return \$1.40, one-way fare Montgomery Village to East-West Highway or return \$1.25, and one-way fare Quince Orchard Road to District of Columbia or return \$1.40.

M.V. Transit would offer five sightseeing tours. The building tour would include stops at the United States Capitol, the White House (when open), the Smithsonian Institution, and the Lincoln Memorial. The interior of public buildings and Arlington National Cemetery tour would include the stops in the building tour and the Cemetery. The Arlington-Mount Vernon tour would include stops at Arlington National Cemetery, Alexandria and Mount Vernon, Virginia. The tour would include a return from Mount Vernon by boat when in operation. The all day tour would be a combination of the building tour and the Arlington-Mount Vernon tour. The Washington at night tour would include stops at the Lincoln Memorial, the Jefferson Memorial, and the Archives Building. According to the proposed schedule and tariff filed as part of the application, these tours would require the following approximate time and per capita fares.

<u>Tour</u>	<u>Time</u>	<u>Adult</u>	<u>Child</u>
Building	4 hours	\$ 9.00	\$ 4.50
Building and Cemetery	6 hours	14.50	7.00
Arlington-Mt. Vernon	5 hours	16.00	9.00
All Day	11 hours	24.50	13.00
Night	2-1/2 hours	9.00	4.50

There is no indication of the age limit applicable to child fares. M.V. Transit also proposes per capita fares for groups consisting of 25 persons or more as follows: building tour \$6, building and cemetery tour \$9, Arlington-Mt. Vernon tour \$10, all day tour \$15, and night tour \$6.

M.V. Transit would provide constructed tours. The charge for constructed tours would be determined at the rate of 50 cents per passenger mile and mileage would include the distance from and to the garage where the vehicle is located. M.V. Transit also would provide charter service and charter sightseeing service. The following table summarizes the rates applicable to these services.

<u>Vehicle</u>	<u>Charter Service</u>	<u>Sightseeing Charter</u>
23-Passengers or Less Bus:		
Per Mile	\$.70	---
Per Hour	17.50	\$22.50
Bus		
Per Mile	.90	---
Per Hour	19.00	22.50

The minimum charge would be based upon four hours of service except during a presidential inauguration. M.V. Transit would perform transfers one-way between any two points in the District of Columbia and round-trip with a minimum of four hours in between each transfer for \$45 each way.

Title II, Article XII, Section 4(b) of the Compact provides as follows:

When an application is made under this section for a certificate, . . . , the Commission shall issue a certificate to any qualified applicant therefor, . . . , if it finds, after hearing held upon reasonable notice, that the applicant is fit, willing and able to perform such transportation properly and to conform to the provisions of this Act and the rules, regulations, and requirements of the Commission thereunder, and that such transportation is or will be required by the public convenience and necessity; otherwise such application shall be denied. (Emphasis added.)

Pursuant to this mandate, the Commission shall schedule a hearing to develop an appropriate record. M.V. Transit shall be prepared to present evidence that the public convenience and necessity require the proposed services. M.V. Transit shall be assessed an amount preliminarily estimated to be sufficient to cover the expenses which the Compact, Title II, Article XII, Section 19(a) requires the carrier to bear.

THEREFORE, IT IS ORDERED:

1. That Application No. 921 of Montgomery Village Transit Company be, and it is hereby, scheduled for public hearing to commence Tuesday, April 6, 1976, at 10:00 A. M., in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.

2. That Montgomery Village Transit Company publish in a newspaper of general circulation in the Metropolitan District a notice in the form

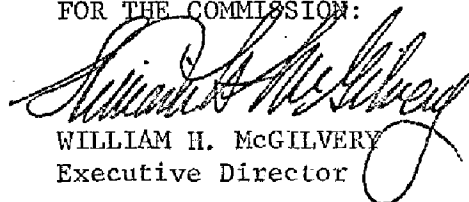
prescribed by the staff of the Commission of such application and hearing no later than Wednesday, March 17, 1976, and present at the hearing a certificate of publication from the selected newspaper.

3. That six (6) copies, the original to be submitted at the hearing, of any prepared testimony be filed by Montgomery Village Transit Company with the Commission together with a certificate indicating that one copy was served on each party of record on or before Wednesday, March 31, 1976.

4. That any person desiring to protest shall file a protest in accordance with Commission Rule 14, or any person desiring to be heard on this matter shall notify the Commission, in writing, on or before Friday, March 26, 1976, and shall mail a copy of such protest or notice to counsel of record for Montgomery Village Transit Company, Michael A. Lieberman, Esquire, 5309 Baltimore Avenue, Hyattsville, Maryland 20781.

5. That Montgomery Village Transit Company be, and it is hereby, assessed \$200 pursuant to the provisions of the Compact, Title II, Article XII, Section 19 and directed to deliver said amount to the office of the Commission, Room 316, 1625 I Street, N. W., Washington, D. C. 20006, on or before Wednesday, March 31, 1976.

FOR THE COMMISSION:



WILLIAM H. MCGILVERY
Executive Director